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35 **UNITED STATES DISTRICT COURT**
36
37 **NORTHERN DISTRICT OF CALIFORNIA**
38
39 **SAN FRANCISCO DIVISION**

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41 MAXIMILIAN KLEIN, et al., on behalf of
42 themselves and all others similarly situated,

43 Case No. 3:20-cv-08570-JD

44 Plaintiffs,

45
46 **META PLATFORMS, INC.'S**
47 **ADMINISTRATIVE MOTION TO**
48 **CONSIDER WHETHER ANOTHER**
49 **PARTY'S MATERIAL SHOULD BE**
50 **SEALED**

51 v.

52 META PLATFORMS, INC., a Delaware
53 Corporation,

54 Judge: Hon. James Donato

55 Defendant.

STANDING ORDER PARAGRAPH 31 NOTICE

2 The parties have agreed to use the approach outlined in Paragraph 31 of the Court's
3 Standing Order for Civil Cases for the rounds of briefing associated with User Plaintiffs' and
4 Advertiser Plaintiffs' motions for class certification, and any related *Daubert* briefing, including
5 Defendant Meta Platforms, Inc.'s Motion to Exclude the Testimony of Nicholas Economides.
6 Meta hereby notifies the Court that the parties will file a combined Administrative Motion to Seal
7 when briefing on the class certification and related *Daubert* motions is complete. That combined
8 Administrative Motion to Seal will address all relevant documents submitted in connection with
9 this briefing. Meta will work in good faith to minimize the amount of material sought to be sealed
10 in that motion in accordance with the applicable standard and this Court's prior guidance. *See*
11 Dkt. 344.

META PLATFORMS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL

13 Pursuant to Civil Local Rules 7-11 and 79-5(f), Defendant Meta Platforms, Inc.
14 respectfully files this Administrative Motion To Consider Whether Another Party's Material
15 Should Be Sealed in connection with its Motion to Exclude the Testimony of Nicholas
16 Economides. Materials and documents may be provisionally filed under seal pursuant to Civil
17 Local Rule 79-5(f) when the document, or portions thereof, "has been designated as confidential
18 by another party or non-party." L.R. 79-5(f).

19 Meta has lodged under seal the Report and Reply Report of Nicholas Economides, which
20 User Plaintiffs have designated Highly Confidential under the Stipulated Protective Order. Dkt.
21 314. Meta has also lodged under seal excerpts from the deposition of Nicholas Economides, which
22 are currently provisionally designated Highly Confidential under the Stipulated Protective Order.
23 Dkt. 314. Meta has also lodged under seal portions of its Motion to Exclude Testimony of Nicholas
24 Economides that reference these materials.

25 Meta notes that the Economides reports and deposition transcript also contain potentially
26 sealable information from other parties, including Meta and the following non-parties: Alphabet,
27 Inc.; Amazon.com, Inc.; Apple Inc.; Centercode, Inc.; Embee Mobile, Inc.; LinkedIn Corporation;

1 Luth Research LLC; Microsoft Corporation; Nextdoor Holdings, Inc.; Pinterest, Inc.; Reddit, Inc.;
 2 Sgrouples, Inc.; Snap, Inc.; TikTok, Inc.; Viant Technology Inc.; and X Corp. (f/k/a Twitter, Inc.).
 3 Meta is providing these non-parties with notice of this Administrative Motion, and anticipates that
 4 all parties will address appropriately tailored sealing requests in the combined motion to seal
 5 submitted at the end of briefing pursuant to Paragraph 31 of this Court's Standing Order for Civil
 6 Cases.

7 Accordingly, Meta has lodged under seal the following materials referencing other parties'
 8 information:

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Document	Portions to Be Lodged Under Seal	Designating Party
Meta's Motion to Exclude Testimony of Nicholas Economides	Portions highlighted in yellow	User Plaintiffs
Ex. 1 to the Decl. of David Z. Gringer in Support of Meta's Motion to Exclude Testimony of Nicholas Economides ("Economides Report")	In its entirety	User Plaintiffs
Ex. 2 to the Decl. of David Z. Gringer in Support of Meta's Motion to Exclude Testimony of Nicholas Economides ("Economides Reply Report")	In its entirety	User Plaintiffs
Ex. 3 to the Decl. of David Z. Gringer in Support of Meta's Motion to Exclude Testimony of Nicholas Economides ("Economides Deposition Excerpts")	In its entirety	User Plaintiffs

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21 As noted, upon the conclusion of briefing on class certification motions and related
 22 *Daubert* motions, the parties will submit a combined Administrative Motion to Seal that will
 23 contain additional detail addressing each of the above documents and any additional documents
 24 containing Meta's, plaintiffs', and relevant non-parties' confidential information submitted in
 25 connection with the briefing on class certification motions and related *Daubert* motions.

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1 Dated: September 15, 2023

Respectfully submitted,

2 By: /s/ Molly M. Jennings

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September, 2023, I caused the foregoing document to be transmitted via electronic mail.

/s/ Molly M. Jennings
Molly M. Jennings